



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,584	09/08/2003	Joerg Beringer	09282.0010-00000	1932

22852. 7590 02/13/2008
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

JAMI, HARES

ART UNIT	PAPER NUMBER
----------	--------------

2162

MAIL DATE	DELIVERY MODE
-----------	---------------

02/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/658,584

Applicant(s)

BERINGER ET AL.

Examiner

HARES JAMI

Art Unit

2162

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 January 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-20 and 25-36.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


JOHN BREENE
SUPERVISORY PATENT EXAMINER

Continuation of 3. NOTE: The proposed amendments to the independent claims 1 and 25 will not be entered since it was filed after the mailing of the final office action dated November 02, 2007, and it requires further consideration and/or search because the Applicant incorporated the limitations of claims 2 and 26 to the independent claims 1 and 25. Therefore, the scope of newly amended claims 1 and 25 are not the same as the claims 1 and 25 addressed in the final rejection mailed on November 02, 2007. Therefore, the new combination of limitations in amended claims 1 and 25 needs further search and consideration .

Continuation of 11. does NOT place the application in condition for allowance because: In response to the Applicant arguments that the prior art does not teach the newly amended limitations of ""wherein the first and second attributes have dimensions, the method further comprising: creating segments of the hit-list by grouping the resources by one of the attribute dimensions and displaying statistics associated with the segments; receiving a selection of segments through the user interface; and providing a narrowed hit-list by selecting one or more resources from the selected segments", as recited by newly amended claims 1 and 25, the Examiner respectfully disagrees. The combination of Siefert in view of Singh teaches creating segments the hit-list by grouping the resources by one of the attribute dimensions (Siefert teaches grouping the resources according to fixed categories, [see col. 12, lines 25-29 and Fig. 19, Siefert]; moreover, Singh discloses that the search results screen display a summary segmenting the results by groups of titles, authors, and publishers and showing the statistics of each group which corresponds to attribute dimension limitation, see [0155]-[0158], Singh), and displaying statistics associated with the segment (Singh discloses displaying the statistics associated with segments on the hit-list; Singh gives examples such as number of authors, number of tiles, and number of publications which are statistics with each segment of authors or publishers, see [0156]-[0160] and [0287], Singh); Receiving a selection of one or more segments through a user interface; and Providing a narrowed hit-list by selecting one or more resources from the selected segments (the combination of Siefert in view of Singh teaches the limitation of receiving the selections of segments of resources [categories of resources] that user can select [see Fig. 19, Siefert], and narrowing the hit-list by selecting a range of a group [see [0163], Singh], which is corresponds to providing a narrowed hit-list by selecting one or more resources from the selected segments).